

PROPOSED CHANGES TO BASIN PLAN

The following language will be added to Chapter 3, Water Quality Objectives of the Basin Plan, as a new section (in alphabetical order):

Priority Pollutants

The California Toxics Rule (CTR), located at 40 CFR 131.38, contains federally promulgated water quality objectives applicable to California waters for 126 priority pollutants for the protection of aquatic life and human health.

Implementation Provisions

The water quality objectives for metals contained in the CTR are expressed as a function of a water-effect ratio (WER).¹ In the CTR, the US EPA has provided for the adjustment of these water quality objectives through the application by States of the WER procedure. The WER has a default value of 1.0 unless a site-specific WER is approved. To use a WER other than the default of 1.0, a study must be conducted, establishing the ratio that represents the difference between toxicity in laboratory test water and toxicity in a specific water body based on ambient conditions. The study must be consistent with US EPA procedures on deriving WERs and must be adopted by the Regional Board.

Notwithstanding the provisions below, regulatory actions to achieve applicable objectives, as modified by site-specific WERs, must ensure that downstream standards will also be achieved.

Additional receiving water monitoring shall be required of dischargers subject to site-specific WER(s) to evaluate whether objectives, as modified by the WER(s), are as protective of beneficial uses as the CTR objectives are intended to be. ~~This additional monitoring shall be required through the discharger's NPDES permit monitoring and reporting program.~~ If additional monitoring indicates a change in the chemical characteristics of the water body or toxicity, the Regional Board may reconsider the site-specific WER(s).

Copper

For the following water bodies, the copper water quality objectives contained in the CTR shall be modified using the site-specific WERs set forth below.

Site-specific Water-Effect Ratios for Copper

<u>Waterbody Name</u>	<u>Reach Name</u>	<u>Description of Reach/Area</u>	<u>Water-Effect Ratio</u>
<u>Mugu Lagoon</u>	<u>Reach 1</u>	<u>Lagoon fed by Calleguas Creek</u>	<u>1.51</u>
<u>Lower Calleguas Creek</u>	<u>Reach 2</u>	<u>Downstream (south) of Potrero Road to the lagoon</u>	<u>3.69</u>

¹ There are two exceptions where the criteria are not a function of a WER. The freshwater criteria for selenium are not a function of a WER. The freshwater and saltwater criteria for mercury are not a function of a WER.